SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1967.

GARAFOLO *v.* UNITED STATES.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT.

No. 866. Decided January 29, 1968.

PER CURIAM.

The petition for a writ of certiorari is granted and the judgment of the United States Court of Appeals for the Seventh Circuit is vacated. The case is remanded to that Court for further consideration in light of *Smith* v. *Illinois*, No. 158, October Term, 1967, decided this date.

MR. JUSTICE BLACK and MR. JUSTICE HARLAN are of the opinion that certiorari should be denied.